

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:98-00168

MARCUS TAYLOR

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On September 16, 2013, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Marcus Taylor, appeared in person and by his counsel, Rhett H. Johnson, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a thirty-three month term of supervised release in this action on September 14, 2010, as more fully set forth in the Supervised Release Revocation and Judgment order entered by the court on August 16, 2005.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: the defendant committed a federal and state crime inasmuch as he was in possession as a convicted felon of a loaded FNH 5.7x28 semiautomatic pistol on October 24, 2012, located under the driver's seat of the vehicle he was driving, as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of

correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of (18) MONTHS, to run concurrently with the 18-month term of imprisonment imposed in Criminal No. 2:05-00034, to be followed by a term of fifteen (15) months of supervised release, to run concurrently with the 42-month term of supervised release imposed in Criminal No. 2:05-00034, upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 30, 2013


John T. Copenhaver, Jr.
United States District Judge